



Republic of the Philippines  
**Department of Education**  
REGION VII - CENTRAL VISAYAS  
DIVISION OF CITY SCHOOLS - TAGBILARAN CITY

**Office of the Schools  
Division Superintendent**

March 17, 2022

DIVISION MEMORANDUM

No. 086 s. 2022

**DISSEMINATION OF REPUBLIC ACT NO. 1164**

To: All Public and Private Elementary and Secondary School Heads  
All Others Concerned

1. Pursuant to DepEd Memorandum No. 013, s. 2022, this office disseminates a copy of Republic Act No. 11648 dated March 04, 2022 from the Office of the President titled, **An Act Providing for Stronger Protection Against Rape and Sexual Exploitation and Abuse, Increasing the Age for Determining the Commission of Statutory Rape, Amending for the Purpose Act No. 3815, as Amended, Otherwise Known as "The Revised Penal Code", Republic Act No. 8353, also Known as "The Anti-Rape Law of 1997," and Republic Act No. 7610, as Amended, Otherwise Known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act."**
2. For widest dissemination and information to all concerned.

**JOSEPH IRWIN A. LAGURA, PhD**  
Schools Division Superintendent

JIAL/CPC/SGOD/BCL/jpp2021





Republic of the Philippines  
Department of Education

15 MAR 2022

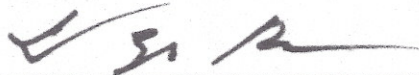
DepEd MEMORANDUM

No. **013**, s. 2022

**DISSEMINATION OF REPUBLIC ACT NO. 11648**

To: Undersecretaries  
Assistant Secretaries  
Bureau and Service Directors  
Regional Directors  
Schools Division Superintendents  
Public Elementary and Secondary School Heads  
All Others Concerned

1. For the information and guidance of all concerned, enclosed is a copy of Republic Act No. 11648 dated March 04, 2022 from the Office of the President titled, **An Act Providing for Stronger Protection Against Rape and Sexual Exploitation and Abuse, Increasing the Age for Determining the Commission of Statutory Rape, Amending for the Purpose Act No. 3815, as Amended, Otherwise Known as "The Revised Penal Code," Republic Act No. 8353, also Known as "The Anti-Rape Law of 1997," and Republic Act No. 7610, as Amended, Otherwise Known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act."**
2. Immediate dissemination of this Memorandum is desired.

  
**LEONOR MAGTOLIS BRIONES**  
Secretary

Encl.:  
As stated

Reference: N o n e

To be indicated in the Perpetual Index  
under the following subjects:

AMENDMENT  
LEARNERS  
LEGISLATIONS  
RIGHTS



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DEPED-OSEC-455699



S. No. 2332  
H. No. 7836

Republic of the Philippines  
**Congress of the Philippines**  
Metro Manila  
Eighteenth Congress  
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-sixth  
day of July, two thousand twenty one.

[ REPUBLIC ACT No. **11648** ]

AN ACT PROVIDING FOR STRONGER PROTECTION AGAINST RAPE AND SEXUAL EXPLOITATION AND ABUSE, INCREASING THE AGE FOR DETERMINING THE COMMISSION OF STATUTORY RAPE, AMENDING FOR THE PURPOSE ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS "THE REVISED PENAL CODE," REPUBLIC ACT NO. 8353, ALSO KNOWN AS "THE ANTI-RAPE LAW OF 1997," AND REPUBLIC ACT NO. 7610, AS AMENDED, OTHERWISE KNOWN AS THE "SPECIAL PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND DISCRIMINATION ACT"

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

SECTION 1. Article 266-A (1)(d) of Act No. 3815, otherwise known as "The Revised Penal Code," as amended by Republic

Act No. 8353 otherwise known as "The Anti-Rape Law of 1997," is hereby further amended to read as follows:

"Article 266-A. Rape; When and How Committed. - Rape is Committed:

"1) By a person who shall have carnal knowledge of another person under any of the following circumstances:

"x x x

"d) When the offended party is under sixteen (16) years of age or is demented, even though none of the circumstances mentioned above be present: Provided, That there shall be no criminal liability on the part of a person having carnal knowledge of another person under sixteen (16) years of age when the age difference between the parties is not more than three (3) years, and the sexual act in question is proven to be consensual, non-abusive, and non-exploitative: Provided, further, That if the victim is under thirteen (13) years of age, this exception shall not apply.

"As used in this Act, non-abusive shall mean the absence of undue influence, intimidation, fraudulent machinations, coercion, threat, physical, sexual, psychological, or mental injury or maltreatment, either with intention or through neglect, during the conduct of sexual activities with the child victim. On the other hand, non-exploitative shall mean there is no actual or attempted act or acts of unfairly taking advantage of the child's position of vulnerability, differential power, or trust during the conduct of sexual activities."

SEC. 2. Articles 337 and 338 of Act No. 3815, otherwise known as "The Revised Penal Code" are hereby amended to read as follows:

"Article 337. Qualified seduction. - The seduction of a minor, sixteen and over but under eighteen years of age, committed by any person in public authority, priest, home-servant, domestic, guardian, teacher, or any person who, in any capacity, shall be entrusted with the education or

custody of the minor seduced, is *prison correccional* in its *minimum* periods.

"The penalty next higher imposed upon any person who seduces or descendant, whether or not sixteen or not less than eighteen years of age.

"Under the provisions of this article, the offender is committed when the offender has knowledge of any of the permissive circumstances described herein

"Article 338. Simple seduction of a minor, sixteen and over years of age, committed by means of force, is punished by *arresto mayor*."

SEC. 3. Sections 5(b), 7, 9, and 10 of Act No. 7610, otherwise known as the Children Against Abuse, Exploitation and Abuse Act, are hereby amended to read as follows:

"SEC. 5. Child Prostitutive Abuse. - Children, whether male or female, who, for money, profit, or any other consideration, are coerced or influenced to engage in prostitution or other sexual activities, or are otherwise exploited in prostitution or other sexual activities, shall be deemed to be child prostitutes and shall be punished as follows:

"x x x

"(a) x x x

"(b) Those who commit incest or lascivious conduct with a child, or who exploit in prostitution or other sexual activities a child, shall be punished as follows: *Provided*, That when the child is under sixteen (16) years of age, the offender shall be punished under Article 335, 1 and Article 336 of Act No. 7610, otherwise known as "The Revised Penal Code," in rape, or lascivious conduct, *Provided*, That the penalty for the same shall be the penalty for the child when the victim is under sixteen

shall be *reclusion temporal* in its medium period; and

x x x x."

"SEC. 7. *Child Trafficking*. - Any person who shall engage in trading and dealing with children including, but not limited to, the act of buying and selling of a child for money, or for any consideration, or barter, shall suffer the penalty of *reclusion temporal* to *reclusion perpetua*. The penalty shall be imposed in its maximum period when the victim is under sixteen (16) years of age.

x x x x."

"SEC. 9. *Obscene Publications and Indecent Shows*. - Any person who shall hire, employ, use, persuade, induce, or coerce a child to perform in obscene exhibitions and indecent shows, whether live or in video, or model in obscene publications or pornographic materials, or to sell or distribute the said materials shall suffer the penalty of *prision mayor* in its medium period.

"If the child used as a performer, subject, or seller/distributor is under eighteen (18) years of age, the penalty shall be imposed in its maximum period.

x x x x"

"SEC. 10. *Other Acts of Neglect, Abuse, Cruelty or Exploitation and Other Conditions Prejudicial to the Child's Development*. -

"(a) x x x x

(b) Any person who shall keep or have in his company a minor sixteen (16) years of age or under or who is ten (10) years or more his junior in any public or private place, hotel, motel, beer joint, discotheque, cabaret, pension house, sauna or massage parlor, beach, and/or other tourist or similar places shall suffer the penalty of *prision mayor* in its maximum period and a fine of not less than Fifty thousand pesos (P50,000.00): *Provided*, That this provision shall not apply to any person

who is related within the consanguinity or affinity or an law, local custom and tradi performance of a social, mora

x x x x."

SEC. 4. Public and private ins education, training, and care of ct their curriculum for continuing staff and learning sessions on the sc responsibilities in identifying, respon and other sexual offenses.

The Department of Education education curriculum and teach concerning the rights and protection to this Act.

SEC. 5. If any provision of th unconstititutional, the remainder of th otherwise affected shall remain in

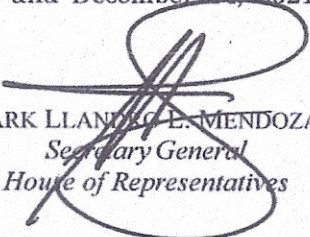
SEC. 6. All laws, decrees, orde regulations or parts thereof which provisions of this Act are hereby ame accordingly.

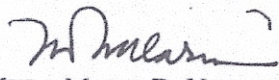
SEC. 7. This Act shall take eff its publication in the *Official Gaze* general circulation in the Philippin

Approved,

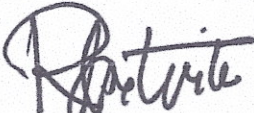

LORD ALLAN JAY Q. VELASCO  
*Speaker of the House of Representatives*

This Act which is a consolidation of Senate Bill No. 2332 and House Bill No. 7836 was passed by the Senate of the Philippines and the House of Representatives on December 15, 2021 and December 14, 2021, respectively.

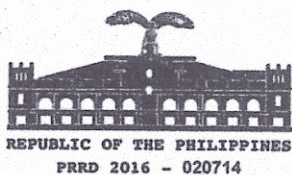
  
MARK LLANERO E. MENDOZA  
*Secretary General  
House of Representatives*


  
MYRA MARIE D. VILLARICA  
*Secretary of the Senate*

Approved: **MAR 04 2022**

  
  
**RODRIGO ROA DUTERTE**  
*President of the Philippines*

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Office of the President  
MALACANANG RECORDS OFFICE  
**CERTIFIED COPY**  
  
ATTY. CONCEPCION [Signature]  
DIRECTOR IV  
*3/7/22* 